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Via First Class Mail

September 13, 2018

Hon. A. Kathleen Tomlinson
Magistrate – Judge
United States District Court for the Eastern District of New York
United States Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: State Enterprise Research-Industrial Complex "Pavlograd
Chemical Plant" v. Petroleum & Materials LLC, E.D.N.Y.
Case Number 2:18-cv-02510-ADS-AKT

Dear Judge Tomlinson:

This action, seeking the entry of judgment to enforce a foreign arbitral award, was referred to you by Judge Spatt on August 9, 2018. Presently pending is plaintiff's motion for entry of a default judgment.

On August 22, 2018, Dewan Bachai, who states he is the President of defendant Petroleum & Materials LLC, filed with the Court a letter and attachments in which he states that "I would like to have my day in court". Presumably, he is requesting that the limited liability company, which is the entity against which the arbitration award was made and the entity which plaintiff seeks to have adjudicated a judgment debtor, have its "day in court." A copy of his letter is attached hereto.

A limited liability company cannot participate in litigation other than through counsel. I so informed Mr. Bachai of this in June of this year; see my affirmation in support of the motion for default judgment, at paragraph 6 - 8, and the copy of my letter to Mr. Bachai attached to that affirmation as Exhibit 3.

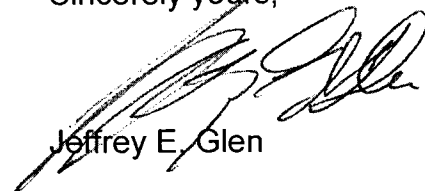
The time for Petroleum & Materials LLC to retain counsel and oppose plaintiff's petition is long gone. The law is clear that as a signatory to an arbitration proceeding, the LLC's "day in court" was in Ukraine, and its failure to participate in that arbitration precludes any do-over in this court.

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I respectfully request that Mr. Bachai's letter be accorded no weight and that this Court issue a recommendation that the default judgment be granted in the amount sought.

Sincerely yours,



Jeffrey E. Glen

cc Dewan Bachai
Petroleum & Materials LLC
350 Veterans Memorial Highway
Commack, New York 11725

RECEIVED
IN CHAMBERS OF
A. KATHLEEN TOMLINSON

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ AUG 22 2018 ★

★ AUG 16 2018 ★

Eastern District court of the United States

CIV.No. 2:18-CV-02510-ADS-AKT

TIME A.M. _____
P.M. _____

BROOKLYN OFFICE

1. I signed contract # 400021-16 on October 10th 2016 for the amount of \$108,900,000.00 US dollars of which Petroleum and Materials would have made 10% in commission had Mr. Leonid Shyman not cancelled this contract because of costs of manufacture. Total commission payable over 4 years would have been \$10,890,000.00 US dollars, this amounts to \$2,722,500.00 per year.
2. The payment of \$918,000.00 US dollars was made for commission earned to date and was authorized by Mr. Leonid Shyman.
3. The contract I signed, which copies are enclosed was signed and seal attached. I used an embosser. Somehow they attached my signature and rubber stamped it in blue ink. I always used an Embosser.
4. The contract that have the cost of \$918,000.00 was never signed by me nor do I have a blue rubber stamp.
5. The forged contract stated that Pavlograd paid my corporation 100% but that's not factual, my commission at 100% should be \$2,722,600.00
6. I called Ms. Elena and asked her about this new signed contract, to which she said that it was the only way for me to get paid my part commission, so that I continue with Leonid.
7. Mr. Leonid sent me a letter asking me to continue to help his company Pavlograd in acquiring a sophisticated CNC equipment that can fabricate these seamless pipes. The reason is that each 3000mm pipes costs over \$7,000 US dollars per meter to manufacture.
8. I visited several company in the US and located one manufacture for this specialized equipment, and sent Leonid Shyman the specs.

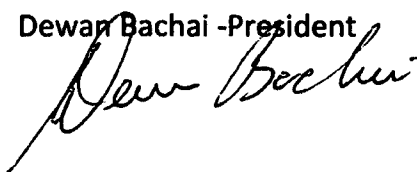
I would like to have my day in court to show all the paperwork because I was deceived by Mr. Leonid Shyman

My company pleads not guilty

Thank You

Petroleum and Materials Llc.

Dewan Bachai -President



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AUG 21 2018

EDNY PRO SE OFFICE